

## **EXHIBIT S**

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**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF WASHINGTON**  
**AT SEATTLE**  
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7 JAMES S. GORDON, Jr., a married  
8 individual, d/b/a  
‘GORDONWORKS.COM’; OMNI  
9 INNOVATIONS, LLC, a Washington  
10 limited liability company;

Plaintiffs,

v.

13 VIRTUMUNDO, INC., a Delaware  
14 corporation d/b/a  
ADKNOWLEDGEEMAIL.COM;  
15 ADKNOWLEDGE, INC., a Delaware  
corporation, d/b/a  
ADKNOWLEDGEEMAIL.COM;  
16 SCOTT LYNN and individual and his  
marital community; and JOHN DOES  
17 I-X,  
18

Defendants.

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20 NO. CV06-0204JCC  
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**PLAINTIFF GORDON’S ANSWERS  
AND RESPONSES TO DEFENDANT  
VIRTUMUNDO’S FIRST  
INTERROGATORIES AND  
REQUESTS FOR PRODUCTION OF  
DOCUMENTS TO GORDON**

Plaintiff Gordon answers Defendant Virtumundo’s First Interrogatories and Requests For Production of Documents as follows:

**GENERAL OBJECTIONS**

1. Plaintiff objects to each interrogatory to the extent that it seeks material or information that is privileged as an attorney-client communication. This objection hereinafter will be referred to as the “**Attorney-Client Privilege Objection.**”
2. Plaintiff objects to each interrogatory to the extent that it seeks material or information prepared by or developed at the direction of counsel insofar as it is

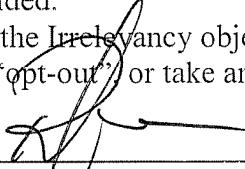
PLAINTIFF GORDON’S ANSWERS AND  
RESPONSES TO DEFENDANTS’ FIRST DISCOVERY

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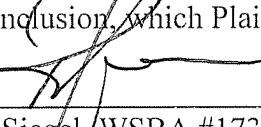
- 1                   Theodore Hansson,  
 2                   All as plaintiff (except a counter suit by IMG)  
 3          14. Emails containing communication that are false or misleading are included on cd  
                   previously provided.  
 4          15. Plaintiff asserts the Irrelevancy objection, as a recipient has no affirmative obligation to  
                   “unsubscribe”, “opt-out” or take any other steps to avoid receiving unlawful spam.

5                     
 6                   Robert J. Siegel, WSBA #17312

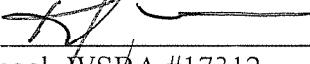
7                   Without waiving the foregoing objection:

8                   All documentation of unsubscribe efforts are contained on cd previously provided, and  
 9                   are indexed as spam reports

- 10         16. Steps included unsubscribing via emails, sending complaints to emails in Whois  
 11                   databases, sending complaints to network service providers, sending complaints to  
 12                   government agencies/offices, setting up an auto-responder to send reply to spammer to  
 13                   cease and desist (plus contract to receive email), send certified and certified return receipt  
 14                   letter to spammers.  
 15         17. Unwanted and offending emails use up bandwidth on my server; interfere with my  
 16                   interactive service business; clog my computer; require wasted time to deal with; are  
 17                   unlawful; and violate my right to privacy and the sanctity of my personal space, and right  
 18                   to be free from intrusive solicitation.  
 19         18. Plaintiff asserts the Irrelevancy and Ambiguity objections. Further, this question calls for  
 20                   a legal conclusion, which Plaintiff is not competent to make.

21                     
 22                   Robert J. Siegel, WSBA #17312

- 23         19. July 22, 1999...gordonworks@gordonworks.com I do not know the IP address  
 24         20. This information is highlighted in the emails provided on the cd already provided.  
 25                   Plaintiff does not understand what is meant by “the purpose for which you use each of the  
 26                   emails you identify”. If defendants intended to inquire as to the purpose for which my  
                   email addresses are used, then the answer is for communication.  
 21         21. May 1998...this allowed me to have portability and flexibility with the email accounts I  
                   could manage.  
 22         22. September and October of 2003...Bonnie Gordon; Jamila Gordon; Jay Gordon; Jonathan  
                   Gordon; Emily Abbey. These were free email accounts. Addresses will be provided  
                   subject to a protective order.  
 23         23. Plaintiff asserts the Overbreadth, Irrelevancy, and Attorney work product objections.

24                     
 25                   Robert J. Siegel, WSBA #17312

26                   Additionally, confidentiality and non-disclosure provisions in each of the settlement  
                   agreements precludes my divulging this information.

PLAINTIFF GORDON'S ANSWERS AND  
 RESPONSES TO DEFENDANTS' FIRST DISCOVERY

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